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09/757,454	01/10/2001	Narendra K. Gupta	2000-0163	8135

7590

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EXAMINER

PHAN, JOSEPH T

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 10/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/757,454

Applicant(s)

GUPTA ET AL.

Examiner

Joseph T Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claims 1 and 6 objected to because of the following informalities:

Claim 1 recites the limitation "the accessed user's DTMF-controlled system" in line 7. There is insufficient antecedent basis for this limitation in the claim. It is not known where it refers to the accessed user's record or another DTMF-controlled system apart from the speech-to-DTMF application system.

Appropriate correction is required.

Claim 6 recites the limitation " the user's plurality of such systems " in line 3. There is insufficient antecedent basis for this limitation in the claim. It is unclear if the plurality refers to the plurality of fields or tone sequences.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors

Protection Act of 1999 (AIPA) do not apply to the examination of this application

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as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

**Claims 1-10 rejected under 35 U.S.C. 102(e) as being anticipated by Matthews et al., Patent #4,757,525.**

Regarding claim 1, Matthews teaches a voice-operated arrangement for interacting with a dual-tone multifrequency (DTMF)-controlled system, the arrangement comprising:

a speech recognition unit responsive to voice commands from a user and generating a digital signal representative of a particular received voice command (col.3 lines 10-25 and col.28 lines 12-31);

a speech-to-DTMF tones application, responsive to the digital signal outputs from the speech recognition unit for accessing a proper user record from a plurality of user records(*col.29 line 61-col.30 line 2 and col.44 lines 36-41*),

retrieving dial-out information for the accessed user's DTMF-controlled system (*col.27 lines 31-33, col.30 lines 16-19, and col.44 lines 51-64; VMS 10 retrieves the incoming dial-out information from the user calling in or VMS 10 retrieves dial-out information in the form of a user's PIN number or the converted command word to digits is dial-out information*), and

completing a communication path between the user and said DTMF-controlled system, wherein said voice-operated arrangement monitors the communication path and retrieves predetermined voice commands uttered by the

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user and translates said predetermined voice prompts into DTMF tones which are thereafter transmitted to said DTMF-controlled system (col.34 line 65-col.35 line 9).

Regarding claims 2 and 3, Matthews teaches the arrangement as defined in claim 1 wherein each user record includes a spoken voice identification field(col.31 lines 15-24; user's password is the identification).

Regarding claim 4, Matthews teaches the arrangement as defined in claim 1 wherein each user record comprises a plurality of different fields for each DTMF-controlled system associated with that user (*col.33 line 57-col.34 line 10; each user's specific record contains a plurality of fields for command words*).

Regarding claim 5, Matthews teaches the arrangement as defined in claim 4 wherein the plurality of different fields for a DTMF-controlled system in a user record comprises a dial-out access number for the DTMF-controlled system and a mapping of a plurality of voice commands to an associated plurality of DTMF tone sequences (*col.44 lines 35-64; the command word digits is a dial-out access number to retrieve a plurality of information requested from the DTMF-controlled system; or col.104 line 27-col.105 line 15; VMS of 42 Fig.2 dials out to VMS of 48 Fig.2 for control of external system*).

Regarding claim 6, Matthews teaches the arrangement as defined in claim 5 wherein the plurality of different fields further comprises a series of DTMF tones for accessing the proper DTMF-controlled system within the user's plurality of such systems (col.44 lines 35-64).

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Regarding claim 7, Matthews teaches the arrangement as defined in claim 1 wherein at least one DTMF-controlled is a voice messaging system (VMS 10 col.39 lines 19-29).

Regarding claim 8, Matthews teaches a method for interacting with at least one DTMF-controlled telecommunications system, the method comprising the steps of:

a) accessing, by a user, a speech-to-DTMF tone application(col.95 lines 39-45);

b) retrieving a proper user record for the user identified in step a) [col.95 lines 54- 65];

c) dialing out, by the application, to a DTMF-controlled system included in the user record retrieved in step b) [col.95 lines 61-col.96 line 16];

d) bridging together the call between the user and the application and the call between the application and the DTMF-controlled system (col.96 lines 15-27);

e) in response to predefined voice commands uttered by the user and received by the speech-to-DTMF tone application, translating said voice commands into one or more DTMF tones accepted as commands by the DTMF-controlled system; and f) transmitting said translated DTMF tone commands from the speech-to-DTMF tone application to the DTMF-controlled system (col.96 lines 15-41; *it is understood from above that Matthews' system translates voice commands into DTMF tones for control by DTMF-controlled system*).

Regarding claim 9, Matthews teaches the method as defined in claim 8 wherein in performing step a), the method comprises the additional step of authorizing a user by requesting and validating a spoken user password (col.95 lines 61-68).

Regarding claim 10, Matthews teaches the method as defined in claim 8 wherein the method is used for retrieving messages from a plurality of different messaging systems associated with a single user, the method comprising the further steps of g) querying the user record for additional DTMF-controlled system fields (*col.36 lines 45-60; the user record is queried for the appropriate voice command word to translate into DTMF tone*); and h) repeating steps c) - f) for each additional DTMF-controlled system (*col.104 line 41-col.105 line 25; an example of the need to access another DTMF-controlled system is when a business user has multiple voice messaging systems and his need to access his messages that are stored at a remote location*).

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is 703-305-3206. The examiner can normally be reached on M-TH 8:30-6:30, in every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is

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assigned are 703-872-9314 for regular communications and 703-872-9314 for  
After Final communications.

Any inquiry of a general nature or relating to the status of this application  
or proceeding should be directed to the receptionist whose telephone number is  
703-305-9600.

JTP  
October 21, 2002

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', written over the printed name and title.